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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/200,631	11/30/98	ASHTON	C 1569/1570

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EXAMINER	
ENG, G	
ART UNIT	**PAPER NUMBER**
2643	6

DATE MAILED: 01/12/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.	Applicant(s)
09/200,631	Ashton et al.
Examiner	**Group Art Unit**
George Eng	2643

☒ Responsive to communication(s) filed on *Nov 2, 2000*

☐ This action is **FINAL.**

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire *3* month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) *1-14* is/are pending in the applicat

Of the above, claim(s) _____ is/are withdrawn from consideration

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) *1-14* is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____ .

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). *4*

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement filed 10/6/2000 (paper no. 4) has been considered.

Claim Rejections - 35 U.S.C. § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1-8 and 10-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Skinner, Sr (US PAT. 5,355,401 hereinafter Skinner) in view of Beveridge (US PAT. 5,469,495 as cited by the applicant).

Regarding claim 1, Skinner discloses a system for powering a fiber optic cable telephony network which transmits communication data between a telephone company central office (13) and a remote user device as shown in figure 2 comprising a digital subscriber line access multiplexer (17) having means for converting the communication data from a digital optical state to an electrical state (col. 4 line 67 through col. 5 line 1), a fiber optic communication medium (14) for transferring the communication data between the telephone company central office and the digital subscriber line access multiplexer (col. 4 lines 12-19), a power source (33) for supplying an electrical supply voltage to power the digital subscriber line access multiplexer (col. 5 lines 26-28), the power source having an AC power feed, i.e., 240 VAC, for providing power to the digital subscriber line access multiplexer (col. 5 line 28) and a DC power feed (35) for providing power to the digital subscriber line access multiplexer when the AC power feed is not supplying power to the digital subscriber line access multiplexer (col. 5 line 57 through col. 6 line 10), and an electrical conducting medium (24) for conducting the electrical supply voltage and the communication data from the digital subscriber line access multiplexer to a network interface device(i.e., 15 or 16) in electrical communication with the remote user device (col. 5 lines 1-10). Skinner differs from the claimed invention in not specifically teaching that the digital subscriber line access multiplexer for converting the communication data from a digital optical state to a digital electrical state. However, it is well known

in the art of using modulator and demodulator device for converting signal in either analog or digital forms, for example see Beveridge (figure 6, element 39 and col. 11 line 64 through col.13 line 13). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Skinner in having the modulator and demodulator device in the digital subscriber line access multiplexer for converting the communication data from a digital optical state to a digital electrical state, as per teaching of Beveridge, because it provides privacy in telephony communication.

Regarding claim 2, Skinner discloses the system further comprising an interface (38) to provide an access point to connect a plurality of communication signals from the digital subscriber line access multiplexer to the electrical conducting medium (figure 3).

Regarding claim 3, Skinner discloses a digital loop carrier for providing a plurality of digital communication signals to the digital subscriber line access multiplexer (figure 2).

Regarding claim 4, Skinner disclose that the power source (35) is located proximate to the digital subscriber line access multiplexer (32) (figure 3).

Regarding claim 5, Skinner discloses that the power source (33) is remote from the digital subscriber line access multiplexer and supplies power to a digital subscriber line access multiplexer (figure 3 and col. 5 lines 26-28).

Regarding claims 6-7, the combination of Skinner and Beveridge differs from the claimed invention in not specifically teaching that the power source is located proximate to the telephone company central office or a digital loop carrier. However, it appears that there would be no invention in shifting the power source disclosed by Skinner to a different location since the operation of the

system would not be thereby be modified. Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Skinner in locating the power source proximate to different location based upon the design purposes.

Regarding claims 8 and 10, Skinner discloses the remote user device as shown in figure 2 comprising a telephone (27) and a television (26).

Regarding claim 11, Skinner discloses the power source comprising a plurality of rectifiers, a plurality of converters, a plurality of current limiters, and a plurality of batteries configured to a supply DC voltage to the digital subscriber line access multiplexer (figure 3 and col. 5 lines 28-64).

Regarding claims 12-13, Skinner teaches that the power supply (32) having a relay (34) to connect batteries (35) instead of main power connection (33) when the main power no longer appears at input connection (col. 5 line 56 through col. 6 line 10) such that it would have been obvious of Skinner in having means for monitoring the operation of the power source in order to operate the relay automatically.

Regarding claim 14, Skinner discloses a method for powering a fiber optic cable telephony network which transmits communication data between a telephone company central office (13) and a remote user device as shown in figure 2 comprising the steps of converting the communication data from a digital optical state to an electrical state (col. 4 line 67 through col. 5 line 1), transferring the communication data between the telephone company central office and the digital subscriber line access multiplexer (col. 4 lines 12-19), supplying an electrical supply voltage to power the digital subscriber line access multiplexer (col. 5 lines 26-28), the power source having an AC power feed,

i.e., 240 VAC, for providing power to the digital subscriber line access multiplexer (col. 5 line 28) and a DC power feed (35) for providing power to the digital subscriber line access multiplexer when the AC power feed is not supplying power to the digital subscriber line access multiplexer (col. 5 line 57 through col. 6 line 10), and conducting the electrical supply voltage and the communication data from the digital subscriber line access multiplexer to a network interface device in electrical communication with the remote user device (col. 5 lines 1-10). Skinner differs from the claimed invention in not specifically teaching that the digital subscriber line access multiplexer for converting the communication data from a digital optical state to a digital electrical state. However, it is well known in the art of using modulator and demodulator device for converting signal in either analog or digital forms, for example see Beveridge (figure 6, element 39 and col. 11 line 64 through col.13 line 13). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Skinner in having the modulator and demodulator device in the digital subscriber line access multiplexer for converting the communication data from a digital optical state to a digital electrical state, as per teaching of Beveridge, because it provides privacy in telephony communication.

4. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Skinner, Sr (US PAT. 5,355,401 hereinafter Skinner) in view of Beveridge (US PAT. 5,469,495 as cited by the applicant) as applied in claim 1 above, and further in view of Nilssen (US PAT. 5,623,531).

Regarding claim 9, Skinner differs from the claimed invention in not specifically teaching the remote user device comprising a computer. However, it is well known in the art of subscriber premises comprising computers, for example see Nilssen (figure 4B, CT). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Skinner in comprising the computer, as per teaching Nilssen, in order to enhancing the system for distributing power to different kinds of telecommunication devices.

Response to Arguments

5. Applicant's arguments with respect to claims 1-14 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 308-6306, (for formal communications intended for entry)

Or:

(703) 308-6296 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Eng whose telephone number is (703) 308-9555. The examiner can normally be reached on Tuesday to Friday from 7 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Curtis Kuntz, can be reached on (703) 305-4708.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

GEORGE ENG

January 10, 2001

CURTIS KUNTZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600